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10/674,988

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EXAMINER

ZIEGLE, STEPHANIE M

ART UNIT

PAPER NUMBER

4143

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/674,988	<b>Applicant(s)</b> OSHIMA ET AL.	
	<b>Examiner</b> STEPHANIE ZIEGLE	<b>Art Unit</b> 4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>31 January 2005</u> .   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

**Status of Claims**

1. This action is in reply to the application filed on 29 September 2003.
2. Claims 1-30 are currently pending and have been examined.

***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

**Information Disclosure Statement**

4. The Information Disclosure Statement filed on 31 January 2005 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

***Specification***

5. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. The term "advantageous" in claim 2 is a relative term which renders the claim indefinite. The term "advantageous" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. For the purposes of this examination, the examiner will take the term "advantageous" to mean that the customer would receive more money for a trade-in then they would for a cash-out.

***Claim Rejections - 35 USC § 101***

8. 35 U.S.C. 101 reads as follows:  
  
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
9. Claims 28-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed towards a system, however they appear to have no corresponding structure. As such, it appears as if the claimed invention is merely an algorithm, therefore only a judicial exception and not a recognized statutory category.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
- A person shall be entitled to a patent unless –
- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
11. Claims 1 and 10 rejected under 35 U.S.C. 102(a) as being anticipated by the Overview of the HP Trade-in Process, hereinafter HP.

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Claim 1:**

HP, as shown, discloses the following limitations:

- *(a) causing a server computer, which is connected with the user computer in a communicable manner, to receive a quotation request of the used article and*

*quotation requirement information, which is required for quotation of the used article, from the user computer and to determine a trade-in quote for the acceptance of the used article that is a trade-in of the used article with purchase of a product and a cash-out quote for the acceptance of the used article that is a cash-out of the used article without purchase of a product, based on the quotation requirement information; [See at least Section 1: Tell us about your current products].*

- *(b) causing the server computer to send quotation information, which includes the trade-in quote and the cash-out quote determined in said step (a), to the user computer. [See at least Section 1: Tell us about your current products].*

**Claim 10:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP also, discloses:

- *step (a) causes the server computer to receive the quotation request of the used article and information regarding a component included in the used article as the quotation requirement information, which is required for quotation of the used article, from the user computer and to determine the trade-in quote and the cash-out quote, based on the information regarding the component included in the used article. [See at least Section 1: Tell us about your current products].*

- 12.** Claims 21-22 and 28-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Takaoka et al. (US 2002/0099628), hereinafter Takaoka.

**Claim 21:**

Takaoka, as shown, discloses the following limitations:

- *when a server computer receives information regarding a product purchase procedure at the shopping site from the user computer after receipt of information regarding a trade-in quotation request of the used article at the used article quotation site from the user computer, causing the server computer to go through a trade-in procedure without requiring the user computer to reenter the information regarding the trade-in quotation request of the used article. [See at least Figures 31 and 33 and related text].*

**Claim 22:**

Takaoka, as shown, discloses the following limitations:

- *when a server computer requires the user computer to enter information regarding a trade-in quotation request of the used article at the used article quotation site after receipt of information regarding a product purchase procedure at the shopping site from the user computer, causing the server computer not to require the user computer to reenter a piece of information overlapping with the information regarding the product purchase procedure, among pieces of the information regarding the trade-in quotation request of the used article. [See at least Figures 31 and 33 and related text].*

**Claim 28:**

Takaoka, as shown, discloses the following limitations:

- *when receiving information regarding a product purchase procedure at the shopping site from the user computer after receipt of information regarding a trade-in quotation request of the used article at the used article quotation site from the user computer, said server system going through a trade-in procedure without requiring the user computer to reenter the information regarding the trade-in quotation request of the used article. [See at least Figure 33 and related text].*

**Claim 29:**

Takaoka, as shown, discloses the following limitations:

- *when requiring the user computer to enter information regarding a trade-in quotation request of the user article at the used article quotation site after receipt of information regarding a product purchase procedure at the shopping site from the user computer, said server system not requiring the user computer to reenter a piece of information overlapping with the information regarding the product purchase procedure, among pieces of the information regarding the trade-in quotation request. [See at least Figure 33 and related text].*

13. Claims 11, 20, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellenson et al. (US 2003/0200151), hereinafter Ellenson.



**Claim 11:**

Ellenson as shown, discloses the following limitations:

- *a quote determination module that receives a quotation request of the used article and quotation requirement information, which is required for quotation of the used article, from the user computer and determines a trade-in quote for the acceptance of the used article that is a trade-in of the used article with purchase of a product and a cash-out quote for the acceptance of the used article that is a cash-out of the used article without purchase of a product, based on the quotation requirement information; [See at least figure 2 and related text].*
- *a quotation information transmission module that sends quotation information, which includes the trade-in quote and the cash-out quote determined by said quote determination module, to the user computer. [See at least figure 2 and related text].*

**Claim 20:**

Ellenson as shown, discloses the following limitations:

- *a tentative quote setting module that receives a quotation request of the used article and quotation requirement information, which is required for quotation of the used article, from the user computer and sets a tentative quote of the used article based on the quotation requirement information; [See at least Figure 2 and related text and claim 13].*
- *an assessment requirement judgment module that determines whether assessment of the used article is required, according to the tentative quote set by said tentative quote setting module; [See at least Figure 2 and related text and claim 13].*

- *a final quote setting module that, when it is determined that assessment of the used article is not required by said assessment requirement judgment module, determines a settled price of no value range according to the tentative quote as a firm price for acceptance of the used article without assessment and sets the firm price to a final quote of the used article; [See at least Figure 2 and related text and claim 13].*
- *a quotation information transmission module that sends quotation information including the final quote set by said final quote setting module, to the user computer. [See at least Figure 2 and related text and claim 13].*

**Claim 30:**

Ellenson as shown, discloses the following limitations:

- *a quotation information transmission module that receives information regarding a trade-in quotation request of the used article from the user computer, determines a trade-in quote of the used article based on the information regarding the trade-in quotation request, and sends quotation information including the trade-in quote of the used article, to the user computer; [See at least Figure 2 and related text and claim 13].*
- *a storage control module that sends to the user computer either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article in a specific format that allows for storage in the user computer; [See at least Figure 2 and related text and claim 13].*
- *a trade-in procedure execution module that, in the case where either of the information regarding the trade-in quotation request of the used article or the*

*trade-in quote of the used article has been stored in the user computer, makes a trade-in Procedure of the used article without requiring the user computer to reenter the information regarding the trade-in quotation request of the used article, after the user completes a product purchase procedure. [See at least Figure 2 and related text and claim 13].*

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
15. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
16. Claims 2-5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP in view of Official Notice.

**Claim 2:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP also discloses *step (a) causes the server computer to determine the trade-in quote and the cash-out quote* (See at least Section 1: Tell us about your current products).

HP does not disclose *in such a manner that the trade-in quote is advantageous over the cash-out quote*. However, the Examiner takes **Official Notice** that it is old and well known in the appraisal arts to have the trade-in quote be more beneficial than the buy-out quote. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the beneficial trade-in quote because the company that is providing the quote would like to offset the cost loss that occurs when a customer does not purchase a product when disposing of their old item.

**Claim 3:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *said step (a) causes the server computer either to determine first the cash-out quote and then the trade-in quote based on the predetermined cash-out quote in such a manner that the trade-in quote is advantageous over the cash-out quote, or to determine first the trade-in quote and then the cash-out quote based on the predetermined trade-in quote in such a manner that the trade-in quote is advantageous over the cash-out quote*. However, the Examiner takes **Official Notice** that it is old and well known in the computation arts to determine two quotes in succession, without the order being significant. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the beneficial trade-in quote because the company that is providing the quote would like to offset the cost loss that occurs when a customer does not purchase a product when disposing of their old item.

**Claim 4:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *step (a) causes the server computer either to determine the cash-*

*out quote and compute the trade-in quote as a function of the predetermined cash-out quote, or to determine the trade-in quote and compute the cash-out quote as a function of the predetermined trade-in quote.* However, the Examiner takes **Official Notice** that it is old and well known in the computation arts to determine one value as a function of another. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the dependency of the quotes because it allows the company that is providing the quotes to minimize the cost loss that occurs when a customer does not purchase a product when disposing of their old item.

**Claim 5:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *step (a) causes the server computer to set a minimum value and a maximum value of the cash-out quote and a maximum value and a minimum value of the trade-in quote.* However, the Examiner takes **Official Notice** that it is old and well known in the valuation arts to provide a maximum and minimum value. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the maximum and minimum values because the value of the item changes based on the condition and other factors. One example of such is the Kelly Blue Book for appraising automobiles which provides values for different conditions of the vehicle (maximum for excellent and minimum for poor).

**Claim 8:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *step (b) causes the server computer to determine whether the cash-out quote, which has been determined based on the quotation requirement information, is in a preset allowable cash-out value range and, when it is determined*

*that the cash-out quote is out of the preset allowable cash-out value range, to send the quotation information excluding the cash-out quote to the user computer.*

However, the Examiner takes **Official Notice** that it is old and well known in the assessment arts to output the results to the customer after completion. It would have been obvious to one skilled in the arts at the time of the invention to combine the quote determination HP with the output of results because it allows the customer to gain the knowledge of the results quickly and conveniently.

17. Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP in view of Ellenson et al. (US 2003/0200151), hereinafter Ellenson.

**Claim 6:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *step (b) causes the server computer to send a quotation window, which includes a cash-out option selected by the user to request a cash-out at the cash-out quote and a trade-in option selected by the user to request a trade-in at the trade-in quote, in addition to the cash-out quote and the trade-in quote, as the quotation information to the user computer.* Ellenson, however, in at least Figure 7G and related text discloses a list of selectable quote results. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the selectable quote results of Ellenson because it allows the customer to get an accurate portrayal of the value of their item.

**Claim 9:**

HP, as shown in the rejection above, discloses all of the limitations of claim 1. HP does not disclose *step (b) causes the server computer to send a quotation window, which includes a cash-out option selected by the user to request a cash-out at the*

*cash-out quote and a trade-in option selected by the user to request a trade-in at the trade-in quote, in addition to the cash-out quote and the trade-in quote, as the quotation information to the user computer and, when the cash-out quote, which has been determined based on the quotation requirement information, is out of a preset allowable cash-out value range, to send either of the quotation window excluding the cash-out option or the quotation window including the cash-out option in a certain state that does not allow for the user's selection, to the user computer.* Ellenson, however, in at least Figure 7G and related text discloses a list of selectable quote results. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the selectable quote results of Ellenson because it allows the customer to get an accurate portrayal of the value of their item.

18. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over HP/Ellenson in further view of Official Notice.

**Claim 7:**

The combination of HP and Ellenson disclose all of the limitations of claim 6. The combination of HP and Ellenson does not disclose:

- *(c) in response to receipt of the user's selection of the trade-in option from the user computer after said step (b), causing the server computer to store a trade-in specification, which includes the quotation requirement information and the trade-in quote, into a storage unit;*

However, the Examiner takes **Official Notice** that it is old and well known in the data arts to store an inputted piece of information in RAM (Random Access Memory) while the individual continues to browse the website.

- (d) *in response to receipt of a product purchase request from the user computer, causing the server computer to read the trade-in specification stored in said storage unit, to send the read-out trade-in specification to the user computer, and to ask the user whether to effectuate a trade-in according to the trade-in specification.*

However, the Examiner takes **Official Notice** that it is old and well known in the data arts to read out the information that was stored in the RAM of a computer. This reading of information is what is done with a cookie. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination and output of HP and Ellenson with the storage and read out of quotes because it allows a customer to only have to input the information one, thus minimizing any errors that could arise from having to input the same information multiple times.

19. Claims 12-15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP in view of Applicant's Own Admissions, hereinafter AOA.

**Claim 12:**

HP, as shown, discloses the following limitations:

- (a) *causing a server computer, which is connected with the user computer in a communicable manner, to receive a quotation request of the used article and quotation requirement information, which is required for quotation of the used article, from the user computer and to set a tentative quote of the used article, based on the quotation requirement information; [See at least Section 1: Tell us about your current products].*



- *(d) causing the server computer to send quotation information including the final quote, to the user computer. [See at least Section 1: Tell us about your current products].*

HP, does not disclose the following. However, Applicant's Own Admissions (AOA) does disclose:

- *(b) causing the server computer to determine whether assessment of the used article is required, according to the tentative quote; [See at least page 3: paragraph 1].*
- *(c) when it is determined in said step (b) that assessment of the used article is not required, causing the server computer to determine a settled price of no value range according to the tentative quote as a firm price for acceptance of the used article without assessment and to set the firm price to a final quote of the used article; [See at least Page 3 paragraph 1].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the assessment of AOA because it allows the customer to receive the fair and accurate value of their item.

**Claim 13:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. AOA also discloses the following:

- *step (b) causes the server computer to determine that assessment of the used article is not required, when the tentative quote is less than a preset assessment requirement judgment value. [See at least page 3 paragraph 1].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the assessment of AOA because it allows the customer to receive the fair and accurate value of their item.

**Claim 14:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. AOA also discloses the following:

- *step (c), when it is determined in said step (b) that assessment of the used article is not required, causes the server computer to specify a value level of the tentative quote and to set either of the settled price of no value range determined according to the tentative quote or a fixed value regardless of the tentative quote to the firm price, based on the specified value level [See at least page 3 paragraph 1].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the assessment of AOA because it allows the customer to receive the fair and accurate value of their item.

**Claim 15:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. AOA also discloses the following:

- *step (c), when it is determined in said step (b) that assessment of the used article is not required, causes the server computer to compare the tentative quote with a predetermined value level criterion and to set the settled price of no value range determined according to the tentative quote to the firm price in the case where the tentative quote exceeds the predetermined value level criterion and to set a*

*fixed value regardless of the tentative quote to the firm price in the case where the tentative quote is not greater than the predetermined value level criterion.*

[See at least page 3 paragraph 1].

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the assessment of AOA because it allows the customer to receive some sort of compensation no matter what their item is actually worth.

**Claim 13:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. The combination of HP and AOA also discloses

- *step (a) causes the server computer to receive the quotation request of the used article and the quotation requirement information, which is required for quotation of the used article, from the user computer and to set a tentative trade-in quote for the acceptance of the used article that is a trade-in with purchase of a product and a tentative cash-out quote for the acceptance of the used article that is a cash-out without purchase of a product, based on the quotation requirement information, said step (b) causes the server computer to determine whether assessment of the used article is required individually with regard to the trade-in and the cash-out, when it is determined in said step (b) that assessment of the used article is not required with regard to each of the trade-in and the cash-out, said step (c) causes the server computer to determine a settled trade-in price of no value range according to the tentative trade-in quote as a firm trade-in price for the trade-in without assessment and set the firm trade-in price to a final trade-in quote of the used article, and to determine a settled cash-out price of no value range according to the tentative cash-out quote as a firm cash-*

*out price for the cash-out without assessment and set the firm cash-out price to a final cash-out quote of the used article, and said step (d) causes the server computer to send the quotation information including both the final trade-in quote and the final cash-out quote, to the user computer. [See at least Section 1: Tell us about your current products in HP and page 3 paragraph 1 of Applicant's own admissions].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the assessment of AOA because it allows the customer to receive the fair and accurate value of their item.

20. Claims 16-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP/AOA in view of Official Notice.

**Claim 17:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. The combination of HP and AOA do not disclose *step (c), when it is determined in said step (b) that assessment of the used article is required, causes the server computer to set a value range according to the tentative quote to the final quote of the used article on the condition of assessment of the used article*. However, the Examiner takes **Official Notice** that it is old and well known in the assessment arts to covert a tentative price to a final price after an assessment is performed. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination and assessment of HP and AOA with the conversion of the quote because after an assessment is done, the assessor has a better idea about the true value of an object and is quickly and accurately provide the customer with a final price/value.

**Claim 17:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 12. The combination of HP and AOA do not disclose *(e) causing the server computer to determine whether the used article is worth of acceptance, based on the setting of the tentative quote in said step (a), wherein, when it is determined in said step (e) that the used article is not worth of acceptance, said step (d) causes the server computer to send the quotation information including a notice that the used article is not acceptable, to the user computer.* However, the Examiner takes **Official Notice** that it is old and well known in the assessment arts to output the results to the customer after completion. It would have been obvious to one skilled in the arts at the time of the invention to combine the quote determination and assessment of HP and AOA with the output of results because it allows the customer to gain the knowledge of the results quickly and conveniently.

**Claim 19:**

The combination of HP and AOA, as shown in the rejections above, disclose all of the limitations of claim 18. The combination of HP and AOA do not disclose *(f) causing the server computer to determine whether the used article is worth of acceptance with regard to at least the cash-out, based on the setting of the tentative cash-out quote in said step (a), wherein, when it is determined in said step (f) that the used article is not worth of acceptance, said step (d) causes the server computer to send the quotation information including a notice that the used article is not acceptable, to the user computer.* . However, the Examiner takes **Official Notice** that it is old and well known in the assessment arts to output the results to the customer after completion. It would have been obvious to one skilled in the arts at the time of the

invention to combine the quote determination and assessment of HP and AOA with the output of results because it allows the customer to gain the knowledge of the results quickly and conveniently.

21. Claims 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP in view of Takaoka et al. (US 2002/0099628), hereinafter Takaoka.

**Claim 23:**

HP, as shown, discloses the following limitations:

- *(a) causing a server computer, which is connected with the user computer in a communicable manner, to receive information regarding a trade-in quotation request of the used article from a user computer, to determine a trade-in quote of the used article based on the information regarding the trade-in quotation request, and to send quotation information including the trade-in quote of the used article, to the user computer; [See at least Section 1: Tell us about your current products].*

HP does not disclose the following. Takaoka, however does disclose:

- *(b) causing the server computer to send to the user computer either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article in a specific format that allows for storage in the user computer; [See at least figures 30-31 and related text].*
- *(c) in the case where either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article has been stored in the user computer, causing the server computer to make a trade-in procedure of the used article without requiring the user computer to reenter the*

*information regarding the trade-in quotation request of the used article, after the user completes a product purchase procedure; [See at least figures 31 and 33 and related text].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the storing of Takaoka because it allows the customer to quickly and conveniently use the information they already entered, as well as minimizing the risk of error due to reentry.

**Claim 25:**

The combination of HP and Takaoka discloses all of the limitations of claim 23.

Takaoka also discloses:

○ *step (b) causes the server computer to store either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article into a predetermined storage unit, instead of sending to the user computer either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article in the specific format that allows for storage in the user computer, and in the case where either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article has been stored in the predetermined storage unit, said step (c) causes the server computer to make the trade-in procedure of the used article without requiring the user computer to reenter the information regarding the trade-in quotation request of the used article, after the user completes the product purchase procedure. [See at least figures 30-31 and 33 and related text].*

It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP with the storing of Takaoka because it allows

the customer to quickly and conveniently use the information they already entered, as well as minimizing the risk of error due to reentry.

- 22.** Claims 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP/Takaoka in view of Official Notice.

**Claim 24:**

The combination of HP and Takaoka discloses all of the limitations of claim 23. The combination of HP and Takaoka does not disclose *step (b) causes the server computer to send to the user computer either of the information regarding the trade-in quotation request of the used article or the trade-in quote of the used article as a cookie that is storable in the user computer.* . However, the Examiner takes **Official Notice** that it is old and well known in the computer arts to use a cookie to store information in a user's computer. It would have been obvious to one skilled in the art at the time of the invention to combine quote determination and storing of HP and Takaoka with the cookie because it simplifies the customer's purchase by making the information stored immediately available for use later on.

**Claim 27:**

The combination of HP and Takaoka discloses all of the limitations of claim 23. The combination of HP and Takaoka do not disclose *step (a) causes the server computer to set a minimum value and a maximum value of the trade-in quote of the used article.* However, the Examiner takes **Official Notice** that it is old and well known in the valuation arts to provide a maximum and minimum value. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination of HP and the storage of Takaoka with the maximum and minimum



values because the value of the item changes based on the condition and other factors. One example of such is the Kelly Blue Book for appraising automobiles which provides values for different conditions of the vehicle (maximum for excellent and minimum for poor).

23. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over HP/Takaoka in further view of Ellenson.

**Claim 26:**

The combination of HP and Takaoka discloses all of the limitations of claim 23. The combination of HP and Takaoka does not disclose *step (a) causes the server computer to receive information regarding a component included in the used article as the information regarding the trade-in quotation request from the user computer and to determine the trade-in quote, based on the information regarding the component included in the used article*. Ellenson, however, in at least figures 7A-7H and related text discloses receiving information about the item's condition from the user. It would have been obvious to one skilled in the art at the time of the invention to combine the quote determination and storage of HP and Takaoka with the information gathering of Ellenson because the value of an item changes based upon its condition and in order to obtain an accurate value the condition of the item must be determined, and the user is most familiar with the item and can easily and quickly describe its condition.

**Conclusion**

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 4143

- Overview of the CarMax Appraisal Process
- The Allen Motors Used Vehicle Appraisal Form
- Courtesy Used Car Appraisal Form
- Harris – US 7,333,944: Systems for processing a product price or quotation request and placing a product order via a communications network.
- Serretti et al – US 5,978,776: Vehicular Data Exchange System and Method Therefor
- Greenwald – US 2002/0128985: Vehicle Value Appraisal System
- Giovannoli – US 5,842,178: Computerized Quotations System and Method
- Landom et al - US 6,604,088: Automatic Barcode Printing Supply Price Quotation System and Method
- Takahashi – US 2002/0049645: Method, System, and Program for determining selling price, and computer readable storage medium for storing the program
- Johnson – US 5,625,776: Electronic Proposal Preparation System for Selling Computer Equipment and Copy machines
- Morohashi et al – US 6,105,003: Computer Data Processing System Provided in a Showroom

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Stephanie M. Ziegler** whose telephone number is **571.272.4417**. The Examiner can normally be reached on Monday-Friday, 6:30am-4:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES A. REAGAN** can be reached at **571.272.6710**.

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07 April 2008

/James A. Reagan/Supervisory Patent Examiner, Art Unit 4143